

scope of neither the instant application nor the '629 application is settled, Applicants respectfully request that this provisional rejection be held in abeyance.

Rejections Under 35 U.S.C. §102

Claims 1, 5-10, and 14-18 are rejected under 35 U.S.C. §102(b) as anticipated by *Liao et al* (The Split and Merge (SAM) Protocol for Interactive Video-on-Demand Systems article). Applicants respectfully traverse this rejection.

As shown in Applicants' Figures 1-9, exemplary embodiments are directed to methods and systems for delivering media to a plurality of media clients, which include a plurality of client stations. Each client station can perform interactive functions on a unicast video stream. When the client station requests an interactive function, the client station will leave a multicast group to which it belongs and request a unicast stream to handle the interactive functions. The client station includes a buffer that fills up with the unicast stream for normal playback so that when the client station finishes the interactive function the unicast stream can be closed and a multicast stream rejoined. The client station rejoins the multicast stream through a merging technique, which allows the interactive unicast stream to be released and available for use by other client stations. A distributed interactive server is responsible for performing error recovery and generating unicast content in response to the interactive request submitted by the client stations.

Independent claims 1 and 10 broadly encompass the aforementioned features by reciting a system or method for delivering media to a plurality of media clients that comprises, among other features, generating a plurality of multicast media streams wherein each multicast media stream is repeated at regular stream intervals.

In contrast, the *SAM* document discloses a split and merge protocol for use in interactive video on demand systems wherein a number of users are batched and served by a service multicast video stream (S stream). Each of the batched users may initiate user interaction such that the user can be split out of an original S stream and be temporarily allocated to an interaction stream to perform the interaction. Once a user interaction is done, the user is merged back into an on-going S stream. The *SAM* document notes that each batch of multicast streams is initiated on-demand, rather than by periodical broadcasting, e.g., repeating at regular intervals as recited in Applicants' claims. (See page 1351, right hand column, last line of the top paragraph; page 1353, left hand column, lines 16-18; page 1354, section 3, paragraph 1). Furthermore, in Figure 3, the *SAM* document shows that an ineligible S stream that occurs between an original S stream and a targeted S stream does not occur at a regular interval. For these reasons, it should be reasonably apparent to one of ordinary skill that the *SAM* document does not anticipate Applicants' claims.

To properly anticipate a claim, the document must disclose, explicitly or implicitly, each and every feature recited in the claim. See Verdegall Bros. v. Union Oil Co. of Calif., 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Withdrawal of this rejection is respectfully requested.

Rejections Under 35 U.S.C. § 103

Claims 2-3 and 11-13 are alleged to be unpatentable over the *SAM* document in view of various other secondary references. For example, claims 2 and 11 are rejected under 35 U.S.C. §103(a) as unpatentable over the *SAM* document in view of *Mandal et al* (U.S. Patent No. 5,663,810); claims 3 and 12 are rejected under 35

U.S.C. §103(a) as unpatentable over the *SAM* document in view of *Monta et al* (U.S. Patent No. 7,039,048); and claims 4 and 13 are rejected under 35 U.S.C. §103(a) as unpatentable over the *SAM* document in view of *Moskowitz et al* (U.S. Patent No. 5,629,732). Applicants respectfully traverse these rejections.

Because these claims variously depend from either of claims 1 and 10, where applicable, Applicants respectfully submit that they likewise are allowable for at least the same reasons discussed above. Claims 2-3 and 11-13 are further distinguishable over the applied references for the additional elements recited therein. For at least these reasons, withdrawal of this rejection is respectfully requested.

Conclusion

Based on at least the foregoing amendments and remarks, Applicants submit that claims 1-18 are allowable, and this application is in condition for allowance. Accordingly, Applicants request a favorable examination and consideration of the instant application. In the event the instant application can be placed in even better form, Applicants request that the undersigned attorney be contacted at the number below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: November 29, 2007

By: 

James A. LaBarre
Registration No. 28632

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620